

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Granted
Susan J. Dlott
8/5/04

BILLY BRANTLEY, et. al.	:	Case No. C-I-01-387
	:	
Plaintiffs,	:	Judge Susan J. Dlott
	:	
vs.	:	
	:	
CINERGY CORP.	:	DEFENDANT, CINERGY CORP.'S
	:	INSTANTER MOTION FOR LEAVE TO
	:	FILE DEFENDANT, CINERGY CORP.'S,
	:	MOTION FOR SUMMARY
Defendant.	:	JUDGMENT AS TO PLAINTIFF,
	:	PLAINTIFF, TODD TOLBERT IN
	:	<u>EXCESS OF 20 PAGES</u>
	:	(SUPPORTING AFFIDAVIT OF JILL T.
	:	O'SHEA ATTACHED HERETO)

Comes now Defendant, Cinergy Corp., pursuant to Local Rule 7.2 (3) of the United States District Court for the Southern District of Ohio, and respectfully moves the Court for leave to file Defendant, Cinergy Corp.'s, Motion for Summary Judgment as to Plaintiff, Todd Tolbert in Excess of Twenty (20) Pages with four (4) additional pages for a total of twenty-five (24) pages, for good cause shown. This Motion is supported by the within Memorandum and the Affidavit of Jill T. O'Shea attached hereto.

Respectfully submitted,

/s/ Jill T. O'Shea
Jill T. O'Shea (0034692)
Attorney for Defendant,
Cinergy Corp.
139 E. Fourth Street, 25 Atrium II
P.O. Box 960
Cincinnati, OH 45201-0960
Phone: (513) 287-2062
Fax: (513) 287-3810